



January 25, 2008

SENATE BILL No. 255

DIGEST OF SB 255 (Updated January 23, 2008 4:00 pm - DI 110)

Citations Affected: IC 4-33.

Synopsis: Incentive payment reporting. Defines "incentive payments". Requires the recipients of incentive payments under a riverboat development agreement to report annually to the operating agent or the person holding an owner's license that made the incentive payments certain information regarding incentive payments received. Provides that an operating agent or person holding an owner's license may withhold incentive payments under certain circumstances. Requires the gaming commission to post the annual reports on an Internet web site.

Effective: July 1, 2008.

Steele

January 10, 2008, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.
January 24, 2008, reported favorably — Do Pass.

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SB 255—LS 6611/DI 92+



January 25, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 255

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-33-2-11.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 11.7. "Incentive payment" means any payment that**
4 **an operating agent or a holder of an owner's license is required to**
5 **make under a development agreement.**

6 SECTION 2. IC 4-33-4-23, AS ADDED BY P.L.199-2005,
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2008]: Sec. 23. (a) An operating agent or a person holding an
9 owner's license must report annually to the commission the following:

10 (1) The total dollar amounts and recipients of incentive payments
11 made.

12 (2) Any other items related to the payments described in
13 subdivision (1) that the commission may require.

14 (b) The commission shall prescribe, with respect to the report
15 required by subsection (a):

16 (1) the format of the report;

17 (2) the deadline by which the report must be filed; and

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(3) the manner in which the report must be maintained and filed.

(c) The recipients of incentive payments shall report annually to the operating agent or the person holding an owner's license that made the incentive payments the following:

(1) A verified accounting of all accounts associated with incentive payments received.

(2) An itemized list of all disbursements of incentive payments made to any person exceeding five thousand dollars (\$5,000) in the aggregate during the prior reporting period that includes:

(A) the legal name of the recipient;

(B) the date of each disbursement;

(C) the amount of each disbursement; and

(D) the purpose of each disbursement.

(d) The recipients of incentive payments shall submit the reports required by subsection (c) at least thirty (30) calendar days before the deadline prescribed by the commission in subsection (b) for the annual reports submitted to the commission under subsection (a).

(e) An operating agent or person holding an owner's license shall include as an appendix to the reports required by subsection (a) the reports submitted by the recipients of incentive payments prescribed in subsection (c).

(f) An operating agent or person holding an owner's license shall withhold incentive payments for any of the following reasons:

(1) The reports required by subsection (c) are incomplete.

(2) The reports required by subsection (c) are inaccurate.

(3) The commission determines that incentive payments are not benefiting the economic development of the geographic area intended.

(g) The commission shall post to an Internet web site, in a location and format easily accessible to the public, the reports required by this section.

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 255, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 255 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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